

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**JOHN and JANE DOE, INDIVIDUALLY §  
AND AS NEXT FRIENDS OF §  
CHILD DOE, A MINOR, §  
Plaintiffs §**

**vs. §**

**LA VERNIA INDEPENDENT SCHOOL §  
DISTRICT; JOSE H. MORENO, §  
SUPERINTENDENT; KRISTEN §  
MARTIN, PRINCIPAL; BRANDON §  
LAYNE, FORMER ATHLETIC §  
DIRECTOR AND HEAD COACH; §  
RICHARD HINOJOSA, ATHLETIC §  
DIRECTOR; CHRIS TABER, §  
ATHLETIC DIRECTOR; SCOTT §  
GRUB, HEAD COACH; KEITH §  
BARNES, COACH, §  
Defendants §**

**CIVIL ACTION NO.: 5:17-cv-310-OLG**

**JURY DEMAND**

**ORDER GRANTING DEFENDANT LA VERNIA INDEPENDENT SCHOOL DISTRICT  
AND DR. JOSE MORENO'S 12(b)(1) MOTION TO DISMISS IN PART FOR LACK OF  
SUBJECT-MATTER JURISDICTION AND 12(b)(6) MOTION TO DISMISS FOR  
FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED**

Defendants La Vernia Independent School District and Dr. Jose Moreno's 12(b)(1) Motion to Dismiss in Part for Lack of Subject-Matter Jurisdiction and 12(b)(6) Motion to Dismiss for Failure to State a Claim Upon Which Relief Can Be Granted has been carefully considered by this Court. The Court, having reviewed and considered the said Motion and Response thereto and having reviewed the items on file herein, is of the opinion that said Motion should be granted.

Therefore, it is hereby ORDERED that Defendant La Vernia Independent School District and Dr. Jose Moreno's Motion to Dismiss be GRANTED.

It is further ORDERED, ADJUDGED, and DECREED that Plaintiffs' claims against the District and Dr. Moreno, in their entirety, be and the same are hereby DISMISSED with PREJUDICE, and that all relief requested by Plaintiffs be and the same is hereby DENIED and DISMISSED.

IT IS SO ORDERED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Orlando L. Garcia  
Chief U.S. District Judge